



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MAXIMUS, INC.,

Opposer,

v.

WILLIAM K. DABAGHI,

Applicant.

Opposition No. _____



08-13-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

NOTICE OF OPPOSITION

Applicant Serial No.: 76/382,915
Filed: March 18, 2003
Published for Opposition: February 18, 2003
Mark: MAXIMUS INTERNATIONAL

BOX TTAB FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

MAXIMUS, Inc., a corporation of the State of Virginia, having a principal place of business at 11419 Sunset Hills Road, Reston, Virginia, 20190, believes that it is being, and will be damaged by the registration of the mark MAXIMUS INTERNATIONAL shown in Application Serial No. 76/382,915, and hereby opposes the same.

As grounds for opposition, Opposer alleges that:

1. Opposer is informed and believes that Applicant William K. Dabaghi, an individual citizen of the United States, with an address of 4550 Montgomery Avenue, Suite 906N, Bethesda, Maryland 20814-3355, is the current owner of intent-to-use Application Serial No. 76/382,915. The application was filed on March 18, 2002 for the

mark MAXIMUS INTERNATIONAL for "business consulting services for others in the fields of multilateral trade policy, international trade, World Trade Organization negotiations, imports and exports" in International Class 35. The term "INTERNATIONAL" is disclaimed apart from the mark as shown.

2. Opposer, since at least as early as 1975, is now and has been for many years involved in a wide variety of consulting, advisory and operational services, including IT consulting services, financial consulting services, asset management services, management consulting services, dispute resolution services, security services, federal government services, and electronic commerce consulting services.

3. Opposer MAXIMUS, Inc. owns U.S. Registration No. 2,294,429, issued November 23, 1999, for the mark MAXIMUS covering administration and management in the field of health and human services programs, namely, administration and management of social programs of federal, state and local government agencies in International Class 35. The registration is valid and subsisting, and claims a date of first use and date of first use in commerce of 1975. A copy of the registration details from the PTO website is attached as Exhibit A.

4. Opposer MAXIMUS, Inc. owns U.S. Registration No. 2,294,544, issued November 23, 1999, for the mark MAXIMUS covering consulting services in the field of information technology, computer system planning, and health and human services and social program evaluation and improvement for federal, state and local government agencies in International Class 35. The registration is valid and subsisting, and claims a date of first use and date of first use in commerce of 1975. A copy of the registration details from the PTO website is attached as Exhibit B.

5. Opposer has continuously used the foregoing MAXIMUS marks in commerce in connection with the services identified in Paragraphs 2-5 of the Notice of Opposition since long prior to the filing date of the opposed application. Opposer's pleaded Registrations were also filed and issued well prior to the filing date of the opposed application.

6. Applicant seeks to register the mark MAXIMUS INTERNATIONAL in connection with services that are closely related to the services of Opposer.

7. Applicant's MAXIMUS INTERNATIONAL mark so resembles Opposer's MAXIMUS marks as to be likely, when applied to the services, to cause confusion, or to cause mistake, or to deceive.

WHEREFORE, Opposer believes that it is being, and will be damaged by the registration of the mark shown in Application Serial No. 76/382,915, and requests that the opposition be sustained, and that registration to Applicant be refused.

Respectfully Submitted,

Dated: August 13, 2003

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